

Jul 22, 2019

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF WASHINGTON

SEAN F. MCVOY, CLERK

TIMOTHY E. NATION,

Petitioner,

v.

STATE OF WASHINGTON COUNTY  
OF BENTON,

Respondent.

No. 4:19-cv-05001-SMJ

**ORDER DISMISSING HABEAS  
CORPUS PETITION**

By order filed March 11, 2019, the Court advised Petitioner Timothy E. Nation of the deficiencies of his Petition for Writ of Habeas Corpus and directed him to amend it within sixty days. ECF No. 3. Petitioner is proceeding *pro se* and has paid the filing fee. Respondent has not been served.

A copy of the order was sent to Petitioner at the Benton County Jail but was returned as undeliverable on March 15, 2019 with a notation of "Inmate Not in Jail." ECF No. 4. Petitioner has not kept the Court apprised of his current address and he has not corrected the deficiencies of his petition.

Accordingly, **IT IS HEREBY ORDERED:**

1. Petitioner's habeas corpus petition, **ECF No. 1**, is **DISMISSED WITHOUT PREJUDICE** for lack of jurisdiction over Respondent

and for failure to exhaust state court remedies as required by 28 U.S.C. § 2254(b)(1)(A).

2. The Clerk's Office is directed to **ENTER JUDGMENT** for Respondent and **CLOSE** this file.
  3. The Court certifies that an appeal from this decision could not be taken in good faith and there is no basis upon which to issue a certificate of appealability. *See* 28 U.S.C. §§ 1915(a)(3), 2253(c); Fed. R. App. P. 22(b).

**IT IS SO ORDERED.** The Clerk's Office is directed to enter this Order and provide a copy to *pro se* Petitioner at his last known address.

**DATED** this 22nd day of July 2019.

Salvador Mendieta  
SALVADOR MENDEZA, JR.  
United States District Judge